IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 20301 of 2004

Between:

Gangireddy Swamy Reddy, S/o Ellareddy,
Ex-Driver with E.No.850356,

APSRTC-Utnoor Depot, R/o Dowdapally, Luxettipet Mandal,
Adilabad District.

..... PETITIONER

AND

1 The Managing Director,

A.P. State Road Transport Corporation,
Hyderabad.
2 The Regional Manager,

A.P. State Road Transport Corporation,
Adilabad Region, Adilabad District.
3 Depot Manager,

A.P. State Road Transport Corporation,
Utnoor Depot, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not re-appointing the petitioner as Driver pursuant to the notification No. E2/852(2)/2000-RM:ADB, dated 21-8-2000 issued by the 2nd respondent is as arbitrary and illegal and violative of Article 14, 16 and 21 of the constitution of India and consequently direct the respondents to re-appoint the petitioner as Driver.

Counsel for the Petitioner: Mr. G.CHANDRAIAH

Counsel for the Respondents : Smt. P.RAJANI (S.C. FOR A.P.S.R.T.C.)

The Court at the admission stage made the following ORDER:

The petitioner contends that in pursuance of a notification dated 21-08-2000 he made application for the post of Grade-III Driver. He was called for interview and was declared selected for the post of Driver Grade III vide proceedings Lr.No.2/684(2)96-RM ADB, Dt. 14-2-1997 and after completion of the training, he was appointed as a Driver Grade III vide Office Order No.E/684(2)/96-RM: ADB, dated 22-4-1997 with E.No.850356. The petitioner further submits that while he was working as a Driver at APSRTC Depot, Utnoor, a show-cause notice dated 30-5-1998 was issued by the 3rd respondent with an allegation that his driving licence was not genuine. He submitted an explanation. He was removed from service on 22-8-1998, without considering his explanation and without conducting any enquiry. As per the notification dated
21-8-2000, he submitted the Transport HGV, HPV, MOTOR CAB driving licence on 07-10-2000 to the 2nd respondent. Subsequent to the submission of the driving licence, the respondents delayed the reappointment. The petitioner approached the respondents number of times, but there was no reply from them. He came to know that the respondents reappointed his juniors, who were removed from service. He therefore, approached this Court seeking to declare that the action of the respondents in not reappointing the petitioner as Grade-III Driver as arbitrary, illegal and violative of Articles 14, 16 and 21 of the Constitution of India. The petitioner further contends that the respondents having collected the original driving licence from him failed to issue the reappointment orders.

If it is a fact that the juniors to the petitioner were reappointed, the respondents are directed to examine the case of the petitioner also for reappointment and pass appropriate orders regarding his request for reappointment within two months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of.

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(Dr. G.YETHIRAJULU,J)

4th November, 2004.

Note: Furnish C.C. within two days.

B/o

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To

1 The Managing Director,

A.P. State Road Transport Corporation,
Hyderabad.

2 The Regional Manager,

A.P. State Road Transport Corporation,
Adilabad Region, Adilabad District.

3 Depot Manager,

A.P. State Road Transport Corporation,
Utnoor Depot, Adilabad District.

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